



LEGISLATIVE FISCAL OFFICE  
Fiscal Note

Fiscal Note On: **SB 781** SLS 10RS 422  
Bill Text Version: **ENGROSSED**  
Opp. Chamb. Action:  
  
Proposed Amd.:  
Sub. Bill For.:

<b>Date:</b> May 14, 2010	1:12 PM	<b>Author:</b> GAUTREAUX, N.
<b>Dept./Agy.:</b> Executive/Racing Commission		
<b>Subject:</b>		<b>Analyst:</b> Evan Brasseaux

HORSE RACING EG SEE FISC NOTE SG EX Page 1 of 1  
Provides venue for judicial review of final decision or order of Louisiana State Racing Commission. (8/15/10)

The proposed legislation provides that proceedings for judicial review of a final decision or order by the Louisiana State Racing Commission may be instituted by filing a petition in the district court in the parishes of Bossier, Calcasieu, Orleans or St. Landry within thirty days after mailing notice of the final decision by the commission or, if a rehearing is requested, within thirty days after the decision thereon.

EXPENDITURES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

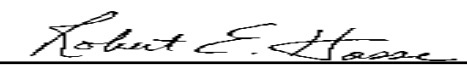
The proposed legislation may result in an indeterminable but likely insignificant increase in state expenditures. The proposed legislation clarifies statutory authority which allows judicial review of a final decision or order in an adjudication proceeding by the La. Racing Commission in the district court in the parishes of Bossier, Calcasieu, Orleans, or St. Landry, depending upon where the matter arose that was subject to the final decision or order. Act 129 of the 2007 Regular Legislative Session previously provided this authority. However, R.S. 49:964 (B) appears to contradict that statute and provides that "proceedings for review may be instituted by filing a petition in the district court of the parish in which the agency is located..."

Two suits have been filed in parishes other than Orleans Parish (Calcasieu in 2008 and St. Landry in 2008) since the enactment of this statute three years ago which authorized judicial review in the parishes of Calcasieu, Bossier, and St. Landry. Therefore, it does not appear that this legislation will change the current practice and will have no significant impact on state expenditures as these expenses have been absorbed within the existing agency budget.

Any lawsuits filed against the La. Racing Commission will be represented by an Assistant Attorney General which is assigned to this agency and paid by the Racing Commission. This legislation does not appear to impact the current workload of this attorney. To the extent that an increase in cases is experienced in future fiscal years, an indeterminable increase in travel expenses may be incurred (as per state travel regulations). In addition, the Racing Commission notes that in cases of temporary restraining orders, supervisory writs and other urgent filings which necessitate immediate access to the courts, a contingency plan will be necessary through the Attorney General's Office for local representation. The Assistant Attorney General assigned to the Racing Commission was unable to provide any details on these potential costs. Finally, the Racing Commission indicates that additional costs may be incurred to transmit agency records from the domicile office to another parish plus courier fees associated with filings. The Racing Commission notes that potential costs resulting from this legislation could reach \$10,000 annually.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate	Dual Referral Rules	House	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost		<input type="checkbox"/> 6.8(F) >= \$100,000 Annual SGF Cost	 <b>Robert E. Hosse</b> LFO Staff Director
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease	